

# **EXHIBIT 3**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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LISA CARLSON  
2795 243rd Avenue Northwest  
St. Francis, MN 55070,

Plaintiff,

v

No.: 2:22-CV-00125

QualTek WIRELESS LLC  
1150 First Avenue, Suite 600  
King of Prussia, PA 19406,

Defendant.

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ZOOM VIDEOCONFERENCE DEPOSITION OF

LISA CARLSON

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DATE TAKEN: 6-14-2022

BY LISA M. HUTTON

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18 OBJECTIONS

19 Mr. Kolman 11, 16, 18, 23, 33, 34, 36, 37, 39, 40,

20 41, 43, 46, 47, 48, 49, 54, 55, 59, 67, 68, 69, 82

21

22

23 CERTIFICATE

24

25

1 LISA CARLSON,  
2 a witness in the above matter, after having been  
3 first duly sworn, testified under oath as follows:

4 EXAMINATION

5 BY MR. DOUGHERTY:

6 Q Ms. Carlson, my name is Colin Dougherty. I  
7 represent QualTek Wireless in this lawsuit that you  
8 filed. Could you state and spell your full name  
9 for the record, please?

10 A Lisa Cai Carlson, L-I-S-A C-A-I C-A-R-L-S-O-N.

11 Q Have you ever given a deposition before, ma'am?

12 A No.

13 Q Okay. So I'm sure you went over some stuff with  
14 your attorney on how these work, and I don't want  
15 you to ever tell me anything you talked to him  
16 about, but I'll just give you some instructions on  
17 the record, okay? The first one is the nice lady,  
18 Ms. Hutton, she can't take down shoulder shrugs and  
19 head nods and all that normal stuff we do in normal  
20 conversation on the record, so I would ask that all  
21 of your answers be verbal and out loud so that she  
22 can write it down. Is that okay?

23 A Yes.

24 Q Okay. Great. Secondly, I'm going to do my best to  
25 do the same for you, I would ask that you wait

1           until I am done asking my question before you  
2           answer it even if you are super sure you know what  
3           I'm about to ask you, and then I will do the same  
4           and wait until you are done speaking before I ask  
5           the next question. That way, again, Ms. Hutton can  
6           get everything down on the nice, clean record,  
7           okay?

8    A       Okay.

9    Q       Finally, I'm going to assume you understand my  
10           question if you answer it. I'm not here to try and  
11           trick you, so if you don't understand, please let  
12           me know and I'll try and rephrase it or state it  
13           differently in a way that we all can understand.  
14           Is that okay?

15   A       Yes.

16   Q       Okay. You are under oath, but we are obviously not  
17           in a courtroom. You look like you are in part of  
18           your house. I'm in my office. Mr. Kolman is in  
19           the room with all his soldiers. So it's -- you  
20           know, if you need to take a break -- I don't know  
21           if you smoke, I don't know if, you know, there's a  
22           reason you need to take a break fairly routinely.  
23           I have had depositions where people who are, for  
24           example, diabetic and need to take a break every  
25           half hour. Just let me know and I'm happy to

1 accommodate you, I just ask that you answer any  
2 pending question before we take a break. Is that  
3 okay?

4 A Yes.

5 Q Okay. Are you on any medication today that would  
6 prevent you from understanding my questions and  
7 answering truthfully?

8 A No.

9 Q Have you consumed alcohol in the last six hours?

10 A No.

11 Q Is there any reason you don't believe you can sit  
12 for your deposition today and answer my questions?

13 A No.

14 Q Great. Are you currently employed?

15 A Yes.

16 Q And where do you work?

17 A I work for Medtronic through a company called  
18 Donatech, which is a contracting company.

19 Q And how long did you work for Donatech?

20 A A year and -- what month is it? June. A year and  
21 four months.

22 Q Is that the first job you had after you left  
23 QualTek?

24 A Yes.

25 Q How much money do you make at Donatech?

1     A       I make \$47 an hour, but they just gave me a  
2             3 percent increase, and I don't think it's taken  
3             effect yet. But it'll be, like, \$48 and some  
4             change per hour.

5     Q       Is it a full-time position?

6     A       Yes.

7     Q       Does it provide benefits?

8     A       No.

9     Q       Does it have overtime?

10    A       No, not approved -- it's not approved for overtime  
11            right now.

12    Q       Okay. And I think you said you've been working  
13            there for about a year and eight months. Is that  
14            what you said?

15    A       A year and four months in. February 3, 2021.

16    Q       Did you apply for any jobs after you left QualTek  
17            before the Donatech position?

18    A       Yes.

19    Q       Okay. And where did you apply?

20    A       I applied to many positions through Indeed and  
21            other -- I don't recall websites that would, you  
22            know, have jobs available. I also had my resume  
23            posted on multiple websites for recruiters to  
24            contact.

25    Q       Did you get any job offers during that time before



1           Donatech?

2     A       No.

3     Q       Did you have any job interviews during that time

4           before you accepted the position with Donatech?

5     A       I believe so, yes.

6     Q       I'm --

7     A       I do not fully recall.

8     Q       Okay. Do you recall any of the companies that you

9           interviewed with?

10    A       No. usually the positions went through recruiters,

11           so I would work with recruiting agencies.

12    Q       Okay. And where do you currently live, ma'am?

13    A       I live in Minnesota. Do you want more detail than

14           that?

15    Q       What's -- the town is fine?

16    A       St. Francis, Minnesota.

17    Q       Is that where you lived when you worked for

18           QualTek?

19    A       Yes.

20    Q       Is it the same house?

21    A       Yes.

22    Q       Okay. What's the -- what's the highest level of

23           education that you achieved?

24    A       Pardon me, I didn't catch that. It broke up a

25           little bit.

1 Q Sorry. What's the highest level of education that  
2 you've completed?

3 A Some college.

4 Q Okay. And where was that?

5 A The University of Minnesota Duluth.

6 Q Okay. Do you have, like, an associate's degree or  
7 bachelor's degree or anything like that?

8 A No.

9 Q Do you have any certificates? You know, some of  
10 those programs give out certificate in analytics,  
11 certificate in -- to something. Do you have any  
12 certificate programs you've completed?

13 A No.

14 Q Have you ever filed a lawsuit before?

15 A Yes.

16 Q Okay. And where was that?

17 A In Minnesota. I had -- yeah, in Minnesota it was  
18 filed.

19 Q Okay. Were you the plaintiff? You were the  
20 plaintiff?

21 A Yes.

22 Q What kind of lawsuit was it?

23 A I had damage on my driveway from a neighbor's  
24 contractor, so I filed small claims court. They  
25 resolved the issue by fixing the damage, so I

1           dropped the case.

2     Q       Okay.

3     A       And I have one additional one. I was in a very bad  
4           accident, and so I received money from an insurance  
5           company to cover my loss for that fee. And those  
6           were the only two.

7     Q       When was the accident?

8     A       I want to say maybe 2003.

9     Q       Okay. So it was 20 years ago almost?

10    A       Yeah, yeah.

11    Q       Okay. I believe you said you've never given a  
12           deposition before, but have you ever otherwise  
13           testified under oath?

14    A       No.

15    Q       Okay. Have you ever filed for personal bankruptcy?

16    A       Yes.

17    Q       Okay. When was that?

18    A       I believe that was 1999.

19    Q       So again, 23 years --

20    A       Yeah.

21    Q       Something like that?

22    A       Yes, correct. A long time ago.

23    Q       And was that discharged?

24    A       What does "discharged" mean?

25    Q       Was the bankruptcy case ever closed, resolved,

1 finished?

2 A Yes, it was completed in that same year.

3 Q Okay. What is your job title currently?

4 A Senior financial analyst.

5 Q And what are your job responsibilities?

6 A I create Excel spreadsheets, report numbers, create  
7 presentations of the numbers. I report results for  
8 our portfolio piece under Medtronic. So I report  
9 for the whole portfolio, and then underneath are  
10 some businesses.

11 Q Who's your supervisor?

12 A Marcello Hernandez.

13 Q And you said, are you, like, on a placement through  
14 Donatech? How does that work? Like, who pays your  
15 check, Donatech or Medtronic?

16 A Donatech pays my paycheck, but Medtronic approves  
17 my time sheet and hours.

18 Q Okay. So could Donatech move you to another role?

19 A I'm under contract.

20 Q Okay. So you are at Medtronic for as long as they  
21 need you, something like that?

22 MR. KOLMAN: Objection.

23 THE WITNESS: Yeah.

24 BY MR. DOUGHERTY:

25 Q Okay.

1 A I am. I am as long as they need me and are able to  
2 retain me.

3 Q Okay. Did you apply for unemployment after you  
4 left your position at QualTek?

5 A Yes.

6 Q And was that with a Minnesota State agency?

7 A Yes.

8 Q Do you have any of your own employment application  
9 paperwork?

10 A Everything is completed online, so there's no paper  
11 copies. It's completely an online system.

12 Q And I assume you were approved for unemployment?

13 A Yes.

14 Q Just so that we are using the same terminology, if  
15 I talk -- when I talk about QualTek, I mean the  
16 company who bought Velocitel or Old Velocitel. I  
17 know that sometimes they used that name  
18 interchangeably after that position, but I want to  
19 try and keep the record clear for when you were  
20 working for the Minnesota-based company originally  
21 called Velocitel and then the company it acquired.  
22 Is that okay?

23 A Yes, but it's -- Velocitel was not a  
24 Minnesota-based company.

25 Q Okay. Where was Velocitel based out of?

1 A Chicago, Illinois. Northbrook, to be specific.

2 Q How did you -- or when did you start working for  
3 Velocitel?

4 A November 8, 2010.

5 Q Okay. What was your first position you held with  
6 Velocitel?

7 A Project coordinator.

8 Q And how long -- how long did you have the project  
9 coordinator role for Velocitel?

10 A I believe it was a year or a year and a half.

11 Q Okay. And then what was your next position with  
12 Velocitel?

13 A I was managing the finance team. I do not recall  
14 the date of the actual title change, but that is  
15 what happened. I obtained a team underneath me,  
16 and led the finance team.

17 Q How many people reported to you?

18 A It changed as the company had acquired a new  
19 contract, so we were hiring rapidly. So at most I  
20 want to say I had 14 to -- 14 plus. But things  
21 structurally changed. But temporarily I would  
22 have, like, 30 employees, but then it was only a  
23 temporary thing.

24 Q Did you hold any other positions at Velocitel?

25 A Finance manager was the highest position that I

1 held.

2 Q Okay. And did you hold that until the date of the  
3 acquisition?

4 A Pardon me?

5 Q Were you in that role on the date of the  
6 acquisition of Velocitel by QualTek?

7 A Yes.

8 Q Where did you work out of for Velocitel? Out of  
9 your home or did they have an office?

10 A They had an office. I would work from home as  
11 needed, but since I had a new team, I was in the  
12 office.

13 Q How many people roughly would you say worked in the  
14 office in Minnesota?

15 A I believe at the maximum it might be 200.

16 Q So this was a significant operation base. Is that  
17 right?

18 A Yes, but it was equal to other operation bases we  
19 had nationwide. We had key offices across the  
20 nation. This was one of them.

21 Q Okay. How did you first learn about QualTek?

22 A During the acquisition.

23 Q Okay. Did someone -- did a leader or executive at  
24 Velocitel tell you about it? Tell you about  
25 QualTek was going to acquire Velocitel? How did

1           that work?

2       A       I was part of the acquisition, so I worked on  
3           the -- I don't recall the term they used, but the  
4           background secret paperwork for the acquisition and  
5           the date of consolidation and all of that.   So I  
6           was part of the acquisition.

7       Q       So was it, like, called diligence team or something  
8           like that?

9       A       No, it was me and my boss Dana Freedman who dealt  
10           with the finance piece of the acquisition.

11      Q       Gotcha. Did you interact with anybody from QualTek  
12           during the acquisition?

13      A       Yes.

14      Q       Who?

15      A       Yes.

16      Q       Who was that?

17      A       I do not recall everyone, but I know I worked a lot  
18           with Shawn Kemmerer because he had a similar  
19           position to me with QualTek. So we had to convert  
20           our data to their data methodology and revenue  
21           recognition methodology. So I worked with him to  
22           obtain their profit and methodologies, and then I  
23           applied it to Velocitel's information.

24      Q       And after the acquisition you were hired by  
25           QualTek. Is that right?



1 A Correct.

2 Q Did you have to fill out an application or any type  
3 of onboarding paperwork?

4 A I believe so, but I do not fully recall.

5 Q Did you have an interview?

6 A No, I don't believe so.

7 Q Do you remember what your job -- your job title was  
8 when you first joined QualTek?

9 A Finance manager.

10 Q And who did you report to at that time?

11 A Dana Freedman.

12 Q And that was the same woman you had reported to at  
13 Velocitel?

14 A Correct.

15 Q And was -- how was the position of finance --  
16 strike that. Who paid your checks? Did it say  
17 QualTek? Did it say Velocitel? Did it say  
18 something else after the acquisition?

19 A I do not recall. I believe they said QualTek.

20 Q Was your position -- was the position of finance  
21 manager after the acquisition ever explained to  
22 you?

23 MR. KOLMAN: Objection as to form.

24 BY MR. DOUGHERTY:

25 Q You can answer it if you understand it.

1 A Can you repeat that, please?

2 Q Sure. Was the position of finance manager at  
3 QualTek ever explained to you after the  
4 acquisition? In other words, were your job duties  
5 or responsibilities explained to you as to what  
6 QualTek expected?

7 A QualTek expected me to handle the finance piece for  
8 the Velocitel wireless portion for the AT&T  
9 contracts. I continued what I was currently doing,  
10 and that's what I was doing.

11 Q Okay. Did you work on any other portions of AT&T  
12 contracts for other QualTek entities?

13 A I assisted Empire Telecom at the time with the  
14 tools that I built for automatically determining  
15 revenue recognition, costs for that, so on and so  
16 forth.

17 Q Okay. When you joined QualTek, did you receive an  
18 offer letter, if you recall?

19 A I do not recall.

20 Q What was your understanding when you joined QualTek  
21 that -- what your pay would be?

22 A I do not recall having that discussion. When we  
23 were acquired, everything remained status quo for a  
24 bit.

25 Q And --

1 A I do not recall the time line on that though.

2 Q No problem. And how much were you making at the  
3 time of the acquisition?

4 A I believe it was \$92,000 and change.

5 Q And did you have any bonus opportunities?

6 A Yes.

7 Q What was the bonus opportunity?

8 MR. KOLMAN: Objection as to --

9 THE WITNESS: As a packager?

10 MR. KOLMAN: Wait, wait. When? In  
11 other words, the timing?

12 MR. DOUGHERTY: Well, she was answering  
13 it, so she seemed to understand.

14 MR. KOLMAN: Well, she may have  
15 understood, I just want the -- I just want the  
16 answer to be clear as to when and what. I mean,  
17 you are right, she can answer. If you have a  
18 follow-up, I guess you ask it.

19 BY MR. DOUGHERTY:

20 Q Did you have a bonus opportunity when you left  
21 QualTek?

22 A Yes.

23 Q What was your understanding of the bonus  
24 opportunity?

25 A As a manager, I was part of their bonus program for

1 10 percent of my annual salary.

2 Q And what went into deciding what the bonus was?

3 A That was QualTek's standard. They have a standard  
4 tier for bonusing based on title.

5 Q Right. But was the bonus discretionary? Was it  
6 your understanding that the bonus was discretionary  
7 or was it automatic?

8 A I honestly don't recall. I believe the bonuses  
9 were tied to personal performance, and I don't  
10 understand -- I was never provided with how the  
11 bonuses were determined to be paid out. So I don't  
12 really fully understand that.

13 Q Okay. Did you have some understanding that the  
14 company's performance affected the bonus or not?

15 A It could have, but I do not fully recall, to be  
16 honest.

17 Q Okay. Did you eventually have any other positions  
18 at QualTek?

19 A I performed the position of the director of  
20 finance, however, my title remained finance  
21 manager.

22 Q Okay. And why do you say you performed the  
23 position of director of finance?

24 A Because that was the position that Dana Freedman  
25 was in, and she resigned, and so I absorbed her

1 duties.

2 Q What duties did you absorb?

3 A I conducted the weekly financial result meeting  
4 with all of the directors nationwide. I provided  
5 all of the financial results for the wireless turf  
6 division to upper management, CFOs, VPs. I  
7 compiled the bank reporting for the results. I  
8 completed the budgeting and forecast annual  
9 operating -- I'm losing my -- I can't place the  
10 word right now, sorry. But the AOP process and the  
11 updating of the forecast process. And I managed  
12 financial analysts. I traveled to meet with the  
13 directors to help determine their financial, you  
14 know, forecast. And this was nationwide.

15 I -- let me think here. The way -- it  
16 boils down, to make it just plain and simple, was  
17 the wireless division was split into AT&T turf and  
18 nonturf. I handled all AT&T turf, which was about  
19 80 percent if not more percentage of the total  
20 revenue for the wireless division in QualTek.

21 Q In QualTek or in the QualTek division that was  
22 Velocitel?

23 A The QualTek division that was Velocitel. At this  
24 point Empire Telecom was still separate.

25 Q Okay. And did Dana have -- when she was the

1 director -- or first of all, let me ask it this  
2 way. When did Dana leave?

3 A I don't recall the exact date, but it was March,  
4 the end of March, of 2018.

5 Q Did she have supervisory authority over both turf  
6 and nonturf?

7 A No. It was -- hold on, I apologize. At that point  
8 in time I do not recall. I don't believe so  
9 because nonturf was handled separately.

10 Q Okay.

11 A It was always separately, just as Empire was.

12 Q Who handled nonturf?

13 A I do not recall. I believe at that time it was  
14 Katrinka Tezyk. She was the one that was over the  
15 nonturf piece.

16 Q And was she a former Velocitel employee, or did she  
17 come from QualTek?

18 A She was former Velocitel, but acquired by QualTek  
19 during the acquisition.

20 Q Did you ever get a promotion at QualTek?

21 A Define promotion.

22 Q All right. Did you ever get a raise?

23 A I received raises, yes.

24 Q Okay. How often did you receive raises?

25 A Annually.

1 Q Okay. Did you have a title change?

2 A No.

3 Q Did you ever sign any additional paperwork  
4 indicating a change in responsibility or job title?

5 A I want to clarify one answer. They did add the  
6 word "FP&A" to finance manager, so -- but we were  
7 already in the FP&A department, that was the  
8 finance piece. So they called me a finance  
9 manager, FP&A, or something like that.

10 Q What's FP&A?

11 A But it was just -- financial planning analysis.

12 Q Okay. So it's F as in, like, fox?

13 A Fox, Peter, and apple.

14 Q Okay. Gotcha. And do you recall when that title  
15 change was done?

16 A At the end of March 2018.

17 Q So it was after Dana left?

18 A It was -- correct, the process to give me a new  
19 title of director of finance was started prior to  
20 Dana leaving. It was then modified to be just a  
21 title of financial manager FP&A.

22 Q Okay. Why did you believe you were going to get  
23 the director title?

24 A Because I have -- there was a form they called  
25 personal action notice, or PAN form, that says

1 director of finance to replace Dana Freedman that  
2 was submitted.

3 Q Do you know who submitted the PAN form?

4 A I believe it was David Conn.

5 Q Okay. And does someone above Mr. Conn have to  
6 approve that?

7 A It goes to HR and the HR process. I do not know  
8 the details of that process, but I believe that the  
9 final signature comes from Elizabeth Downey.

10 Q Okay. So just so I understand what happened, did  
11 you apply for a position of director or -- because  
12 you said you didn't get it?

13 MR. KOLMAN: Object as to form.

14 THE WITNESS: No, there was no --

15 MR. KOLMAN: You can go ahead.

16 BY MR. DOUGHERTY:

17 Q You can answer.

18 A There was no application process needed. It was  
19 just understood that I would be taking over Dana's  
20 duty. So she trained me for three months on her  
21 duties while this PAN form was submitted to change  
22 my title.

23 Q Who?

24 A She gave it.

25 Q Okay.



1 A I apologize, I just want to clarify. Dana gave a  
2 long notice, I believe it might have been 60 days  
3 or 90 days so that there was time to transition her  
4 duties to me.

5 Q And did she recommend you for her replacement?

6 A Yes.

7 Q Do you know who she recommended you to?

8 A I know that she recommended me to her superior Joe  
9 Busky, who was currently the CFO at the time, and  
10 she worked with David Conn and Adam Spitteler on  
11 getting me admitted to be the director.

12 Q But was that -- were you ever promoted to the  
13 position of director?

14 A They submitted the request to promote me, but it  
15 was modified by HR. That's what I was told,  
16 that -- to be a finance manager anyway. So they  
17 crossed off director and wrote finance manager on  
18 the form.

19 MR. KOLMAN: Continue. I can hear you.  
20 Continue.

21 THE WITNESS: Okay.

22 BY MR. DOUGHERTY:

23 Q Did you -- was it -- was any explanation for that  
24 given to you?

25 A No.

1 Q Did you ask anyone?

2 A Yes.

3 Q Who did you ask?

4 A David Conn.

5 Q And did he respond?

6 A He said he didn't understand why, but that  
7 Elizabeth Downey had said or had made the change to  
8 finance manager.

9 Q Did you talk to Mr. Conn, like, in person, on the  
10 phone, or via email?

11 A I don't recall. Probably in person. Because  
12 during the acquisition I traveled quite a bit to  
13 the King of Prussia.

14 Q So --

15 A So I traveled frequently to the King of Prussia  
16 office, so many conversations happened in person.

17 Q Okay. But during the acquisition, that was in,  
18 what, June of '17?

19 A No, the acquisition was -- well, it started in  
20 2017, but it was completed the end of '17. So the  
21 transition from Dana Freedman to myself occurred  
22 during the first three months of 2018.

23 Q Okay. Is that when you were traveling to King of  
24 Prussia?

25 A Yes.

1 Q When you were in King of Prussia, did you ever meet  
2 with Liz Downey?

3 A No, I was advised not to, and that David Conn would  
4 work to rectify this issue.

5 Q Okay. Who advised you not to meet with Ms. Downey?

6 A David Conn. Liz Downey also was known to be a very  
7 tough cookie. If you pushed her, she was known to  
8 retaliate. So I was advised to let them handle  
9 this.

10 Q And why do you say that Ms. Downey was known to  
11 retaliate?

12 A That was just a known fact. There were many other  
13 employees who have come up against her. That was  
14 just her known persona.

15 Q So that was something you heard from other former  
16 Velocitel employees or someone else?

17 A Or current QualTek employees.

18 Q Can you recall anyone specifically who told you  
19 that?

20 A Not specifically. I do recall later incidences,  
21 but at that time I don't recall. There was so much  
22 going on with that acquisition, so I knew that if  
23 David Conn advised me to not push the issue, then I  
24 listened because he was very high up and close with  
25 the upper management.

1 Q So you didn't get the promotion. Did you make any  
2 complaints?

3 A Yes.

4 Q To whom?

5 A To David Conn.

6 Q Did you make --

7 A He was my supervisor at that time after Dana left.

8 Q Did you make any complaints to anyone in HR?

9 A At that time I do not recall. I believe I stuck  
10 with just David Conn based on his advice. The  
11 upper management -- I would like to explain,  
12 sorry -- is a friend group. So David Conn is  
13 friends with the CEO. Elizabeth Downey is friends  
14 with the CEO. So if David Conn advises me not to  
15 discuss this issues with another higher-up, I  
16 listened.

17 Q Okay. So we are now in, I guess, March, the end of  
18 March, early April of '18. Did you ever get  
19 another change in title while you were at --

20 A No.

21 MR. KOLMAN: Let him finish.

22 THE WITNESS: I apologize, I did not  
23 mean to interrupt.

24 BY MR. DOUGHERTY:

25 Q Did you ever complain to HR about that?

1 A Yes.

2 Q Okay. Who did you complain to at HR?

3 A Lauren Petzar.

4 Q Okay. Anyone else?

5 A Lauren Petzar was the main contact in HR, and above  
6 her were, like, VP and people. So she was my point  
7 of contact and would actually help me as far as I  
8 understand if needed.

9 Q Okay. When did you first contact Lauren?

10 A I do not recall the date of the first contact.

11 Q And did she respond to you?

12 A I do not recall. I -- yeah, I do not recall.

13 Q Okay. Did she -- did you ever speak with  
14 Stefanie either Holmen or Stefanie Trybula, she  
15 goes by both names?

16 A Pardon me?

17 Q She goes by both names, so I don't --

18 A At the time she was Stephanie Trybula, and as far  
19 as I -- she was Lauren Petzar's boss. And as far  
20 as I understood, Lauren was speaking to her.

21 Q So what were your complaints to Lauren?

22 A That I felt I could not be promoted because of  
23 being a woman. I had complained of bullying  
24 treatment and mistreatment. I advised her that I  
25 was concerned about potential retaliation, and I

1 discussed these issues with her.

2 Q Do you recall when -- the time frame this was?

3 A I believe those started in mid-2019 as I was giving  
4 David Conn time to sort this out. Because I was  
5 told that they would be trying to get me the  
6 director position by the end of the year, by the  
7 next couple months. So I was waiting on them to  
8 complete and rectify the issue, which never  
9 happened.

10 Q Who bullied you?

11 A Michael Michini and Stephanie Trybula.

12 Q How did Mr. Michini bully you?

13 A I had -- they were in the process of being acquired  
14 by Bright Star, who was an investment firm. I  
15 don't understand full acquisition or partial,  
16 whatever.

17 During that time they needed to present  
18 certain numbers that they were told -- that they  
19 had told Bright Star they would hit. I was  
20 uncomfortable modifying and adjusting numbers, and  
21 so I pushed back, I believe, on that. And I do not  
22 recall how I pushed back. But Michael Michini came  
23 back and decided that he was going to move one of  
24 my employees. This employee contacted me and said  
25 she was uncomfortable because he was known to be --

1 to be very difficult. In fact, from what I  
2 understood, he had served time in prison for  
3 assault or hitting somebody, and then they may have  
4 died. But he was a little bit of a scary  
5 character.

6 Michael Michini had decided to do that,  
7 to move my employee. My employee contacted Michael  
8 Michini and said I was not -- I would like to not  
9 move to a different department. I want to stay  
10 doing the duties that I am. He then proceeded to  
11 call me early on a Monday morning -- because this  
12 occurred on a Friday -- and was yelling at me and  
13 telling me I put ideas in the employee's head, and  
14 it's my fault that she wants to do this. It  
15 brought me to tears he was so difficult.

16 I turned around that day and I called  
17 Lauren Petzar, or I emailed her and told her to  
18 call me, and I discussed this issue with her.

19 Q Okay. And what -- what, if anything, happened  
20 after you discussed it with Lauren?

21 A Nothing.

22 Q What was Michael Michini's role with QualTek at the  
23 time?

24 A At the time he was either a senior VP or a  
25 temporary CFO.

1 Q Okay. So was he above you in the chain of command?

2 A Absolutely.

3 Q Was he your direct boss, or was he Dave Conn's  
4 boss? Was he Dave Conn's boss's boss? What's your  
5 understanding of where he was in the food chain?

6 A I believe at that time David Conn may have reported  
7 to him.

8 Q Okay. So he never threatened your job though, is  
9 that correct?

10 A I don't recall.

11 Q He never commented on the fact that you were a  
12 woman when he talked to you that day. Is that  
13 correct?

14 A I don't recall.

15 Q Well, he complained that you had told -- or that he  
16 thought you were encouraging an employee that was  
17 beneath him in the chain of command to not want to  
18 transfer. Is that right?

19 A He told -- the employee reported to me. So she was  
20 my employee. And he told me in a very, very  
21 forceful yelling tone that it was my fault that she  
22 did not want to move because I was putting ideas in  
23 her head.

24 Q All right. But he never -- he never said that you  
25 were -- doing anything improper because you were



1 female. Is that right?

2 A I don't recall.

3 Q He never used a derogatory term towards you about

4 being female?

5 A I don't recall. There was many curse words and

6 derogatory terms in that phone call, and the phone

7 call was extremely distressing. So I just remember

8 the feeling of being so upset and distressed by the

9 call, and I remember reaching out to Lauren Petzar.

10 The details, I don't recall the actual wording he

11 used.

12 Q This is at what time? This was early '19?

13 A Mid '19.

14 Q Oh, but if I understand your testimony --

15 A July.

16 Q Your complaint was that he was somehow

17 discriminating against you because you are a woman,

18 and I'm trying to understand why you believe that?

19 A I believe that because I was performing the duty of

20 a director of finance, same as a male counterpart

21 that replaced Katrinka after Katrinka was laid off

22 and he was given the director title. We performed

23 the same job. I was promised I would have the

24 director title, and instead they gave it to two men

25 and not me. And I was still performing the same

1 job, and my volume -- the money and the volume of  
2 work that I performed was four times the level of  
3 theirs. The tools I built to support my financial  
4 side was used by them. We did identical jobs.  
5 They had much less volume.

6 Q Okay. So I want to talk about that in a second,  
7 but that wasn't exactly what I asked you. Why do  
8 you believe Michael Michini on the day that he  
9 called you was discriminating against you because  
10 you were a woman? It sounds like you are  
11 describing to me that he acted like a jerk, and I  
12 understand that, and it made you upset. But why do  
13 you think he did that? Because you were a woman or  
14 was discriminatory because you are a woman?

15 MR. KOLMAN: Objection as to form. You  
16 can answer.

17 THE WITNESS: I responded that way  
18 because you asked me a question about who bullied  
19 me. And that was my answer to your question about  
20 bullying.

21 BY MR. DOUGHERTY:

22 Q Okay. So can we agree then that you weren't  
23 discriminated against because you were a woman by  
24 Michael Michini?

25 MR. KOLMAN: Objection as to form. You

1 can answer.

2 THE WITNESS: I do not know how Michael  
3 Michini was involved in the background after David  
4 Conn requested me to be director since he was above  
5 David Conn. I do not know his involvement in that.

6 Q So is it fair to say that your only belief that you  
7 were discriminated against being a woman is because  
8 you understand that two men were promoted to  
9 director?

10 MR. KOLMAN: Objection as to form.

11 You can answer again.

12 THE WITNESS: That -- yes, and it --  
13 yes, that is it. I was performing the job, yes.  
14 The title and the bonus opportunities were given to  
15 the men and not me regardless of the fact that my  
16 volume and responsibility was four times the volume  
17 of theirs.

18 BY MR. DOUGHERTY:

19 Q Who were the men you are referring to?

20 A Bruce Smith, and then later on they hired Brandon  
21 Eberling.

22 Q When was Mr. Neff hired?

23 A I don't recall the exact date. I just know that  
24 they laid off Katrinka Tezyk and hired Bruce Neff.  
25 It was understood that Bruce Neff was a friend of

1 the CFO, so he wanted his friend to come in, and  
2 that's why Bruce Neff was hired and replaced  
3 Katrinka.

4 Q And how was that understood?

5 A It was common knowledge who was friends. The CEO  
6 was quite open about discussing these things, and  
7 they had replaced -- Michael Michini, okay, Michael  
8 Michini was, I believe, a temporary CFO until  
9 Steven Forbes came back. Steven Forbes was  
10 retired, and Steven Forbes came back. And Bruce  
11 Neff was a close friend of Steven Forbes. So that  
12 is how I knew his position on that. Because the  
13 CEO and David Conn and Shawn Kemmerer, it was  
14 common knowledge how these people were friends.

15 Q But you are making an -- I guess are you making the  
16 assumption that because they are friends, Mr. Neff  
17 wasn't qualified?

18 A No.

19 Q Okay. So then why -- why does it matter whom he  
20 was friends with?

21 A They laid off Katrinka Tezyk who was extremely  
22 qualified for this position, and replaced it with  
23 Bruce. I was not told of Bruce's qualifications.  
24 I do not know his educational background. I do  
25 know that Katrinka Tezyk had the experience with

1           this and had been doing this, and they laid her off  
2           and replaced her with Bruce.

3    Q       Well, you aren't Katrinka's supervisor, were you?

4    A       No, we were performing equal duties.

5    Q       So you weren't in charge of grading her performance  
6           or tracking her performance, correct?

7    A       Correct.

8    Q       So you have no idea how she was actually performing  
9           in her job, correct?

10   A       Correct, just what I observed with my own personal  
11           interactions.

12   Q       Okay. Would you agree with me that qualifications  
13           for a position is not simply experienced, there's  
14           other things that can go into being qualified,  
15           correct?

16                       MR. KOLMAN: Objection as to form.

17                       You can answer.

18                       THE WITNESS: Qualifications are --  
19           explain what you mean by qualifications. Repeat  
20           the question too, I would like to have clarity on  
21           that question. I don't understand.

22   BY MR. DOUGHERTY:

23   Q       So you testified -- I believe your testimony -- and  
24           if I'm misstating it, please let me know, was that  
25           Katrinka was qualified for the position. Is that

1 right?

2 A Yes.

3 Q And but you are basing that solely on your  
4 understanding of her experience. Is that right?

5 MR. KOLMAN: Objection.

6 THE WITNESS: It's Katrinka.

7 BY MR. DOUGHERTY:

8 Q Katrinka?

9 A And she was the original one who hired me at  
10 Velocitel in 2010. So I have worked with  
11 Ms. Katrinka for many years, and when the duties  
12 are split, as they were between turf and nonturf,  
13 Katrinka managed the nonturf piece and had been  
14 doing that for a while. And as far as I understood  
15 or could observe, she seemed good. But as I said,  
16 I did not report on her --

17 Q Right.

18 A I did not do her performance report.

19 Q Right. So you are making an assumption that she  
20 was qualified for the position that ultimately went  
21 to Mr. Neff?

22 MR. KOLMAN: Objection as to form.

23 You can answer.

24 BY MR. DOUGHERTY:

25 Q Is that correct?

1 A Yes.

2 Q All right. You actually have no idea if she was  
3 qualified for the position that went to Mr. Neff.  
4 Is that right?

5 A What would the qualifications have been for that  
6 position?

7 Q Well, I don't know. You are the one who has  
8 testified that you believe you had been  
9 discriminated against because Mr. Neff was hired  
10 for a position that Katrinka had previously held.  
11 She was a woman and you are a woman, and you  
12 weren't promoted to it as well. Did I state that  
13 correctly?

14 A Yes, I believe when Mr. Neff was hired, he was  
15 hired as a finance manager. And shortly thereafter  
16 promoted to director of finance.

17 Q Do you know if -- do you know if Mr. Neff has any  
18 degrees?

19 A I do not know anything about Mr. Neff's educational  
20 history.

21 Q Do you know anything about Mr. Neff's work history  
22 prior to coming to QualTek?

23 A Only that he worked at AT&T for a bit, but I could  
24 not understand in what capacity or for how long.

25 Q And do you have any understanding of Mr. -- you

1           aren't Mr. Neff's supervisor when he was hired as a  
2           financial manager, correct?

3    A       I was not his supervisor, but we were equal and we  
4           performed the same duties.

5    Q       So if I understand you correctly, you have no  
6           understanding of Mr. Neff's educational background,  
7           you have no understanding of Mr. Neff's employment  
8           background, and you have no understanding of  
9           Mr. Neff's performance background, but you are  
10          assuming that because he got the role of director  
11          and you didn't, it was discriminatory based on your  
12          sex?

13                               MR. KOLMAN:  Objection as to form.

14   BY MR. DOUGHERTY:

15   Q       Did I state that correctly?

16   A       I apologize.  Am I okay to answer?

17                               MR. KOLMAN:  Yeah, sure.  Of course.

18                               THE WITNESS:  Okay.  And can you repeat  
19          the question?

20   BY MR. DOUGHERTY:

21   Q       Sure.  So I'll even break it down.  Do you --

22   A       Okay.

23   Q       Do you agree -- you agree with me, correct, that  
24           you have no understanding of Mr. Neff's educational  
25           background, correct?



1 A Correct.

2 Q You have no understanding of Mr. Neff's experience  
3 prior to QualTek, correct?

4 A By all my understanding is that he worked at AT&T  
5 for a short period of time. I do not understand in  
6 which capacity. I do not have that information.

7 Q And AT&T is QualTek's biggest customer. Is that  
8 right?

9 A Correct. And I also performed the work at AT&T as  
10 well.

11 Q And you have no understanding of Mr. Neff's  
12 performance as his position as finance manager,  
13 correct?

14 A I do know that there were issues as far as Excel  
15 skills and understanding, because I helped him get  
16 processes set up. I helped him build spreadsheets.  
17 I helped him train and understand what to do in  
18 this situation.

19 Q You weren't his supervisor though, correct?

20 A I was not his supervisor.

21 Q So if I understand you, your only reason for  
22 believing that you were discriminated against was  
23 because he's a man and he got the position, and you  
24 didn't, is that right?

25 MR. KOLMAN: Objection as to form. You

1 can answer.

2 THE WITNESS: He was given -- he was  
3 promoted to director of finance as a man while  
4 performing the same duties as me but at a quarter  
5 of the volume.

6 BY MR. DOUGHERTY:

7 Q But ma'am, you also -- but you admitted that you  
8 have no idea of his educational background, you  
9 have no idea of his performance, and you have no  
10 idea of his prior experience?

11 MR. KOLMAN: Objection as to form.

12 BY MR. DOUGHERTY:

13 Q So again, is the only belief -- is the only reason  
14 for your belief that it was a discriminatory act is  
15 because he's a man?

16 MR. KOLMAN: Objection as to form. You  
17 can answer.

18 THE WITNESS: Can you repeat that so I  
19 can answer correctly?

20 BY MR. DOUGHERTY:

21 Q I'm trying to understand why you believe Mr. Neff's  
22 promotion was somehow discriminatory when you know  
23 nothing about his experience or background?

24 A I can't.

25 MR. KOLMAN: Okay, which -- I think she

1           answered that. I'm going to say asked and answered  
2           on that.

3                       But you can answer it again if you --  
4           if you want.

5                       THE WITNESS: I do feel that as I was  
6           submitted to be a director, so my qualifications  
7           and my location and my performance were appropriate  
8           for that position, it was requested, and I was  
9           denied. Bruce Neff was approved. When QualTek  
10          submitted me to be the director, they knew I am not  
11          relocating. They knew I did not have a degree. In  
12          fact, I discussed it with Scott Heise, the CEO at  
13          QualTek University in January of 2018. This was  
14          well-known. They proceeded to submit me to be the  
15          director with a 20 percent bonus and a raise, and  
16          it was denied. Later Bruce Neff was given the  
17          director position, and I was told mine was going to  
18          be rectified, and it never was.

19       BY MR. DOUGHERTY:

20       Q       Okay. But Mr. Neff worked in the King of Prussia,  
21               is that correct?

22       A       Correct, but when they submitted the request for  
23               me, she knew I would not relocate, and they were  
24               okay with it. In fact, they let me hire staff --

25       Q       But --

1 A I thought I would be able to finish, please. They  
2 let me hire staff in Minnesota to report to me  
3 here.

4 Q But ma'am, you were submitted -- I understand that  
5 you were submitted, but it was declined. Isn't  
6 that correct?

7 A Yes, that's the issue.

8 MR. KOLMAN: Wait, let Mr. Dougherty  
9 finish his question so the court reporter can put  
10 down both your question and your answer, okay?

11 BY MR. DOUGHERTY:

12 Q So ma'am, it was declined, and Mr. Neff worked in  
13 King of Prussia and had a college degree and had  
14 other experience?

15 MR. KOLMAN: Objection as to form.

16 BY MR. DOUGHERTY:

17 Q Isn't that right?

18 MR. KOLMAN: Objection as to form.

19 BY MR. DOUGHERTY:

20 Q We can move on. Who's Mr. Eberling?

21 A He was a man hired as a director in -- I don't  
22 recall what year. I want to say later 2019, but he  
23 was director of finance.

24 MR. KOLMAN: I'm sorry, can we take  
25 five? I just need to put eye drops in.

1 MR. DOUGHERTY: That's fine.

2 (A short recess was taken.)

3 BY MR. DOUGHERTY:

4 Q Ms. Carlson, we just came back from a break, and is  
5 there anything now after the break or during the  
6 break you thought of that -- from your testimony so  
7 far that you want to change?

8 A Not change, but I would like to clarify.

9 Q Sure. Go ahead.

10 A I would like to clarify speaking about experience  
11 and Bruce Neff's experience because I was able to  
12 see performance and I knew the revenue numbers and  
13 I knew how my numbers were -- how my processes went  
14 and what my team did. And they were much more  
15 functional. That they -- so much that QualTek  
16 wanted to implement my processes with. So I do  
17 know based on performance that I was definitely  
18 qualified more for this position. Also, I have  
19 many years of experience with a very specific type  
20 of finance that's required for this, that gave me  
21 that extra edge in understanding.

22 So I wanted to clarify to that piece  
23 when it came to experience because the amount of  
24 revenue and the processes and the teams for  
25 revenue -- was four times as high on my side and

1 the processes were much more clear. So much so  
2 that they wanted to implement my process and I  
3 insisted on that side of it. I had three analysts  
4 handling four times the volume, and he had, I  
5 believe, three or more -- I don't remember how many  
6 analysts he had that were performing much less  
7 efficiently for a significantly less volume.

8 Q Is this Mr. Eberling?

9 A Mr. Neff.

10 Q I believe you said there was Mr. Neff and  
11 Mr. Eberling?

12 A Mr. Eberling was hired in the end of 2019, I  
13 believe. So I don't understand exactly what he was  
14 doing as I carried on my duties. But after I was  
15 terminated, I -- I was terminated shortly there --  
16 like a few months after he was hired, so I don't  
17 know exactly what he did or why he was there.

18 Q So do you even know if he had the same role as you  
19 or different role?

20 A This -- this knowledge is extremely specific. It's  
21 not something you learn in school. You learn by  
22 experience and understanding the contracts with the  
23 client and how they do revenue recognition, how we  
24 handle the costs associated with it, how that fits  
25 into our gap processes, and that's what I was --

1 had the extreme knowledge of. I also helped with  
2 pricing. I helped with all sorts of aspects of the  
3 contracts with the clients because of my  
4 experience.

5 Q Okay. I don't think that answered my question.

6 What did Mr. Eberling -- did Mr. Eberling and you  
7 do the same thing?

8 A I do not know what Mr. Eberling did. I don't know  
9 why he was hired, I just know that he was hired as  
10 a director.

11 Q And he was a man, so that's why you are assuming it  
12 was discriminatory?

13 MR. KOLMAN: Objection as to form. You  
14 can answer.

15 THE WITNESS: Okay. I saw two men get  
16 promoted to the position that I was promised when I  
17 was performing the job significantly better than  
18 what I saw Mr. Neff performing.

19 BY MR. DOUGHERTY:

20 Q Well -- okay, go ahead. I'm sorry.

21 A Okay. So with this, I could make the assumption  
22 that I was discriminated against as a woman, as I  
23 was told I would get that position, but instead  
24 they gave it to two different men.

25 Q So what I'm trying to understand is it's unclear to

1 me whether it is the same position or a different  
2 position?

3 A Bruce Neff and I performed the same position. He  
4 had 20 percent of the business. I had 80 percent  
5 the business. Our positions were identical. In  
6 fact, the way it was split is if a question came in  
7 on turf, it came to me regardless, no matter what  
8 it was. If it was a question on nonturf, it went  
9 to Bruce Neff. We handled 100 percent of the  
10 finances for those pieces and performed the exact  
11 same job. And I know that because every week we  
12 had to perform and report the exact same forms  
13 which had to hold the exact same meetings. We had  
14 to provide the base the exact same information. We  
15 both handled all aspects exactly the same, except  
16 mine was turf and 80 percent of the business, and  
17 his was nonturf 20 percent of the business.

18 Q Okay. And you don't know what Mr. Eberling did?

19 A I don't know what he did or why he was hired.

20 Q Well, I'm trying to understand, you say they were  
21 the same position but they covered different  
22 aspects. One covers turf, one covers nonturf.  
23 Turf and nonturf are different, correct?

24 MR. KOLMAN: Objection as to form.

25 THE WITNESS: The turf and nonturf -- I



1 apologize. Am I okay to answer?

2 MR. KOLMAN: Sure.

3 THE WITNESS: Okay. The turf and  
4 nonturf split was simply like a process definition  
5 just so you have a clear line. How we recognize  
6 revenue, how we reported it to the bank, how we  
7 held our meetings, how we obtained this  
8 information, what our teams bid, were identical.

9 BY MR. DOUGHERTY:

10 Q So that's your understanding of Mr. Neff's role,  
11 but you don't have an understanding of  
12 Mr. Eberling's role, correct?

13 A I do not.

14 MR. KOLMAN: Objection, asked and  
15 answered.

16 THE WITNESS: Is it okay if I answer?

17 MR. KOLMAN: So it's fine. Only if I  
18 tell you not to answer. But just making the  
19 objection asked and answered, you can answer it, no  
20 problem.

21 THE WITNESS: Okay.

22 BY MR. DOUGHERTY:

23 Q You testified earlier that Mr. Neff -- you feel you  
24 were discriminated against because Mr. Neff and  
25 Mr. Eberling were hired, but I'm trying to

1 understand what the basis on that other than -- if  
2 you don't know what he did, you don't know his  
3 background other than he's a man, right? Does it  
4 just boil down to that he's a man, he got a  
5 director position and you didn't, and therefore --  
6 you are a woman, therefore it's discrimination?

7 MR. KOLMAN: Objection as to form. You  
8 can answer it if you can understand it and know  
9 what you are answering.

10 THE WITNESS: I can understand it  
11 because his position that he was hired for was also  
12 one I applied for. The job description, every  
13 single point on that job description was what I was  
14 currently doing.

15 BY MR. DOUGHERTY:

16 Q Well, I guess that's not entirely true, is it?  
17 Because doesn't the job description say you had to  
18 have a bachelor degree, MBA or CPA preferred, isn't  
19 that correct?

20 MR. KOLMAN: Objection as to form.  
21 You can answer.

22 THE WITNESS: That was a qualification  
23 that they had added after I was performing that  
24 duty already.

25 BY MR. DOUGHERTY:

1 Q Well, but that's -- they posted the job position on  
2 a national database. Isn't that right?

3 A On their website.

4 Q Okay. And they required the position to work in  
5 the King of Prussia, right?

6 A That was a requirement added after I was already  
7 performing the job. I want to repoint to the fact  
8 that QualTek knew that I was not relocating and I  
9 did not have a degree, and they were okay with it.  
10 They let me hire staff in Minnesota, as I was not  
11 relocating, and they knew I did not have a degree,  
12 yet they still were okay with it and they requested  
13 I be promoted to director. And the form  
14 specifically has it crossed off and written finance  
15 management. It states on the form, "replacing Dana  
16 Freedman," who was the director of finance, and I  
17 absorbed all of his duties.

18 Q But Mr. Conn put you in for the director position,  
19 that is your understanding. Isn't that right?

20 A And that's correct.

21 Q And that position was denied? You were denied that  
22 position by Ms. Downey. That is your  
23 understanding, correct?

24 A That is my understanding, but I would like to  
25 clarify if I can?

1 Q Well --

2 MR. KOLMAN: Let her clarify, Colin.

3 Go on.

4 BY MR. DOUGHERTY:

5 Q Let me finish my question. Ms. Downey --

6 MR. KOLMAN: Wait, wait. Colin, she's  
7 answering your question, and she's simply  
8 clarifying. What's wrong with that?

9 MR. DOUGHERTY: I asked a yes or no  
10 question.

11 MR. KOLMAN: That's not yes or no,  
12 that's the trouble. That's why she's clarifying.  
13 Let her clarify.

14 MR. DOUGHERTY: Fine, clarify.

15 MR. KOLMAN: Go on.

16 THE WITNESS: I had spoken with Scott  
17 Heise, who was Ms. Downey's superior, and he knew I  
18 did not have a degree and I was not relocating, and  
19 it was okay with QualTek. I spoke with him on this  
20 before the form was submitted. The form was  
21 submitted after with that knowledge. Why  
22 Ms. Downey declined it, I don't know and David Conn  
23 doesn't know, and he could not provide me an  
24 explanation. If it was due to a degree, I believe  
25 David Conn would have known and have told me.

1 BY MR. DOUGHERTY:

2 Q Well, why do you believe that?

3 A Because he -- if that was a simple qualification,  
4 you can't have that position because you don't have  
5 a degree, he would have known the answer. He did  
6 not have an answer. He did not understand why  
7 Ms. Downey denied this request.

8 Q What about if she denied because you wouldn't move  
9 to the King of Prussia?

10 A That was already established before the submission  
11 of this, and it was clarified and understood by the  
12 CEO of the company, who's her superior.

13 Q But if --

14 A Ms. Downey does not --

15 Q He understood that --

16 A -- they, okay.

17 Q Let -- can I ask my question now?

18 A Yes, you go ahead.

19 Q So the job position that you applied for later that  
20 was posted on their website required it to be in  
21 the King of Prussia, required a college degree,  
22 isn't that correct?

23 MR. KOLMAN: Asked and answered.

24 You can answer it if you can.

25 BY MR. DOUGHERTY:

1     Q     Mr. Neff has a college degree, Mr. Eberling has two  
2           college degrees, and both were willing to work in  
3           the King of Prussia.

4                     MR. KOLMAN: Is that a question or is  
5           that a statement?

6                     MR. DOUGHERTY: Tim, are you making an  
7           objection?

8                     MR. KOLMAN: No, I'm just waiting for  
9           the question.

10                    MR. DOUGHERTY: Okay. Federal rules  
11           require you are supposed to sit there like a potted  
12           plant. You know the case law, right?

13                    MR. KOLMAN: I would like a question,  
14           Colin.

15                    MR. DOUGHERTY: I asked a question.

16                    MR. KOLMAN: I'm not objecting.

17                    MR. DOUGHERTY: Stop interrupting me.

18                    MR. KOLMAN: I'm not interrupt you, I  
19           thought you were finished.

20     BY MR. DOUGHERTY:

21     Q     So ma'am, if the reason was that you needed a  
22           college degree for the position like it was posted,  
23           and you didn't have a college degree, that would  
24           not be discriminatory against you for being a  
25           woman, correct?

1 MR. KOLMAN: Objection as to form.

2 You can answer.

3 Calls for speculation.

4 THE WITNESS: The position that was  
5 posted requiring a college degree was posted when I  
6 had been performing this job for almost two years.

7 BY MR. DOUGHERTY:

8 Q That wasn't an answer to my question. The job  
9 required college --

10 A That was the first --

11 Q You didn't have it?

12 A That was the first time I knew of a college degree  
13 being required, was a year after I was performing  
14 the position. As I stated, it was a requirement  
15 added after I had been performing the position.

16 Q It was not the first time you had been told you had  
17 -- the position was in the King of Prussia,  
18 correct?

19 A That was the first time I was told it was in King  
20 of Prussia, as I had been performing it in  
21 Minnesota for almost two years.

22 Q The position was advertised that it was required to  
23 be in the King of Prussia, correct?

24 A The position posted in late 2019 stated that. At  
25 that point I had been performing the job for almost

1 two years.

2 Q And it was your understanding that Ms. Downey was  
3 the one that denied the position, correct?

4 A Correct.

5 Q Okay. So Ms. Downey is a woman, and your position  
6 is she discriminated against you for being a woman.  
7 Is that right?

8 MR. KOLMAN: Objection.

9 You can answer.

10 THE WITNESS: I don't know why she  
11 denied it. Ms. Downey did not work in finance,  
12 Ms. Downey worked in HR. Finance is where the  
13 issue was, and that's where I had the issue. What  
14 happens in other departments, I do not know, as I  
15 do not work in them.

16 BY MR. DOUGHERTY:

17 Q But I'm trying to -- Ms. Downey was the ultimate  
18 decision-maker, correct?

19 A She was not supposed to be. HR is simply supposed  
20 to process the forms that are received after the  
21 decision has been made by the head of the  
22 departments that are hiring.

23 Q And first of all, that wasn't my question. She was  
24 the ultimate decision-maker, isn't that your  
25 understanding, correct?



1 A No.

2 Q Okay. And you aren't a -- you were never a CSWE  
3 person, so you have no idea how decisions are  
4 supposed to be made, do you?

5 A I was informed by David Conn that this -- they  
6 are -- there are decisions to make, and they  
7 submitted it to HR, and HR simply begins to process  
8 it. He did not understand why they changed it.

9 Q But he told you Ms. Downey changed it, correct?

10 A Correct.

11 Q And when Mr. Eberling was hired, you never reached  
12 out to Ms. Downey, did you?

13 A I was advised at the point in March of 2018 when my  
14 promotion to director was denied not to contact  
15 Ms. Downey and push the issue, David Conn would  
16 handle it. When Mr. Eberling was hired and when  
17 Mr. Neff got the promotion, I did make a complaint  
18 to Lauren Petzar.

19 Q And Mr. Eberling was hired 18 months after you  
20 first -- the position you didn't get, the  
21 promotion, correct?

22 A Yeah, approximately that time frame.

23 Q And it's --

24 A I had been performing it for close to two years.

25 Q My understanding is you believe then -- your

1 testimony is you believe that you were  
2 discriminated twice and not did get a promotion  
3 that went to a man at that point when Mr. Eberling  
4 was hired. Is that correct?

5 A Can you repeat that? I don't understand.

6 Q Sure. You believe that Mr. Neff was promoted, and  
7 as a man, that was the first discriminatory  
8 promotion to director, correct?

9 A Correct.

10 Q And then 18 months later Mr. Eberling was hired,  
11 and I believe your testimony is your belief is that  
12 was the second discriminatory hire of a man in the  
13 director role, correct?

14 A Correct.

15 Q Okay. So after 18 months Mr. Conn had failed to  
16 get you promoted at least twice. Is that right?

17 A Mr. Conn -- after the denial from HR in late  
18 March of 2018, Mr. Conn had been telling me he was  
19 going to rectify this issue. And I trusted him to  
20 do that. Later on I ended up -- they pushed Shawn  
21 Kemmerer, and Shawn Kemmerer was also working to  
22 get me the director position. So I was trusting  
23 them to get this done. After Bruce Neff got  
24 promoted, I realized there was an issue, and I made  
25 a complaint to HR.

1 Q Okay. And then Mr. Eberling got promoted and  
2 sometime later hired, actually, right? So --

3 A Directly to the director position that was posted  
4 that I applied for, which was the exact job  
5 description that was I was performing.

6 Q And despite all of that you never contacted  
7 Ms. Downey?

8 A I was advised to not.

9 MR. KOLMAN: Asked and answered. You  
10 can answer it again.

11 BY MR. DOUGHERTY:

12 Q You were advised by Mr. Conn not to, correct? More  
13 than 18 months and two promotions later, you were  
14 still trusting Mr. Conn's advice?

15 A No, I made the report to HR after Bruce Neff got  
16 promoted. Then I realized there was an issue, and  
17 I raised it with HR. My contact in HR was Lauren  
18 Petzar. The hierarchy within there, I don't know.  
19 Lauren I believe reported to Stephanie Trybula who  
20 then reported to Elizabeth Downey, but my contact  
21 was with Lauren, and I expected Lauren to handle it  
22 as she was the manager or director of HR at that  
23 time.

24 Q And Ms. Petzar ultimately never got satisfaction  
25 because you were never promoted, correct?

1 MR. KOLMAN: Objection.

2 THE WITNESS: Your phone broke up  
3 there. Can you repeat the question?

4 BY MR. DOUGHERTY:

5 Q Sure. Ms. Petzar never handled it to your  
6 satisfaction because you were never promoted,  
7 correct?

8 MR. KOLMAN: Objection as to form.

9 THE WITNESS: Yes.

10 BY MR. DOUGHERTY:

11 Q Okay.

12 A It was never rectified after I made my complaint.

13 Q Okay. So I'm trying to understand, Ms. Petzar then  
14 offered you a meeting with Ms. Trybula in person, I  
15 believe, isn't that right?

16 A That's correct.

17 Q And you scheduled that meeting, isn't that correct?

18 A That's correct.

19 Q You ultimately chose to cancel that meeting even  
20 though you were going to be in King of Prussia.  
21 Isn't that correct?

22 A That's correct, but I want to clarify on why I  
23 canceled it.

24 Q Okay.

25 A I canceled it because I had a fear of retaliation.

1 Ms. Trybula, which she's -- which she then proved  
2 later on was a very difficult person. And so  
3 she -- I had a strong fear of retaliation. I was  
4 in the process of closing on a house, and I did not  
5 want to risk losing my job in the middle of closing  
6 on a house. So I was scared of retaliation. I  
7 told her that I would prefer not to talk to her,  
8 and I specifically said due to my fear of  
9 retaliation.

10 Q Who did you say that to?

11 A Lauren Petzar.

12 Q And when did you say that to her?

13 A I believe that was in the fall of 2019.

14 Q And did you say that in an email?

15 A I don't recall the form. I honestly don't recall  
16 if it was phone or email. It would have been one  
17 of the two.

18 Q So you expressed to Ms. Petzar that you wanted to  
19 cancel your meeting with Ms. Trybula because you  
20 were afraid Ms. Trybula would retaliate against  
21 you?

22 A Correct.

23 Q What was Ms. Petzar's response?

24 A I don't recall her exact response.

25 Q Have you ever seen the QualTek handbook?

1 A Like see as in what? Like laying on the table  
2 or -- what do you mean by "see"? Please clarify.

3 Q Did you receive a copy of it when you were hired?

4 A All employees received a copy of the handbook, I  
5 believe via AED (phonetic) and had to sign off on  
6 there for the handbook. So I do recall I was in  
7 King of Prussia at the point where I had to sign my  
8 final hiring paperwork with QualTek. The meetings  
9 were very intense, and so they left it at the front  
10 desk for me and said just sign these forms because  
11 we need to process your payroll. So I do recall  
12 having to rush to sign the forms and not be given a  
13 chance to read these documents due to the meetings  
14 and requirements of the company.

15 Q You were given a copy of the handbook. Isn't that  
16 right?

17 A Not handed a copy of it, no. I was given papers to  
18 sign for onboarding.

19 Q Sorry.

20 A Copies were available online if you wanted to go  
21 look at them.

22 Q But I thought you just testified that they left it  
23 at the front desk for you?

24 A They left the paper to acknowledge all of these  
25 things. You have to sign a variety of paperwork

1           when you get onboarded. And for them to be able to  
2           process my payroll, I had to sign all of these  
3           forms that day. So they left it at the front desk.  
4           I was running by, they said here's the packet,  
5           sign, sign, sign. And then I went on to my next  
6           meeting. At that point it was still early, and I  
7           had a very good relationship with this company, as  
8           I was performing so well. I was doing the entire  
9           implementation, their data conversion, everything.  
10          So I had trust still. At that point I don't -- we  
11          hadn't even been -- they hadn't even denied my  
12          promotion yet. I still thought I was getting the  
13          director position. So at that point I didn't have  
14          reason to mistrust them.

15       Q       And you went to QualTek University, I believe you  
16                testified to that?

17       A       Correct, in January of 2018.

18       Q       And there's a manager's part of that that talks  
19                about HR roles as a manager. Isn't that right?

20       A       What was the question? I didn't understand it.

21       Q       Isn't there a unit in QualTek University that talks  
22                about as a manager HR policies, things like no  
23                retaliation?

24       A       Sure. They say they have no retaliation, no  
25                discrimination, no bullying, all of which they had

1 proven that they obviously don't stick to.

2 Q Okay. So everything you perceived from the company  
3 told you there was no retaliation, but your  
4 testimony is you believe Ms. Trybula would  
5 retaliate against you?

6 A Absolutely.

7 Q And why was that if you already complained to HR to  
8 Ms. Petzar, what's the --

9 A What was the question?

10 Q If you already made a complaint to HR, why do you  
11 think Ms. Trybula would retaliate against you when  
12 Ms. Petzar wouldn't?

13 A There was a history of retaliation with  
14 Ms. Trybula. In fact, they -- in the market where  
15 I was located, it was a large opportunity in  
16 Minnesota. There was a director, and there was a  
17 battle with the director and HR. So Ms. Trybula  
18 flew out and separated the company into --  
19 separated the markets into groups, and they -- she  
20 took the group and talked about why she was going  
21 to terminate this director. And her tone and her  
22 approach was very harsh and very belligerent, that  
23 was just her nature. And so I had a fear of  
24 retaliation, and due to closing on a house or just  
25 having closed on a house, I did not want to lose my



1 job at that point.

2 And she proved this when later on I  
3 made a complaint about bonuses, and Ms. Trybula  
4 called me with David Conn and Shawn Kemmerer and  
5 chewed me out for making that complaint. And it's  
6 a week later I was fired.

7 Q So when did you complain about bonuses?

8 A I complained about bonuses -- oh, I believe it  
9 was -- it was the week of January 24, which I think  
10 the 24th was a Friday, in 2020. So it would have  
11 been during that week is when I was demoted and  
12 told I was no longer going to have a team and I  
13 would be moved to a reporting role. Keep in mind,  
14 they had just given me the highest possible raise  
15 for performance two weeks prior.

16 I then had to take a day off for mental  
17 health because it was extremely disturbing. I had  
18 put my all into my team. They were my heart and  
19 soul and we had a good, good relationship. And  
20 even today they still tell me I'm their favorite  
21 boss that they ever had. I had to take a mental  
22 health day.

23 Ms. Trybula went and told David Conn  
24 that I was taking a day off because I needed mental  
25 health, which was not something I had disclosed to

1 him or to Shawn Kemmerer, I had told HR, and -- I  
2 told Lauren Petzar. She went and violated my  
3 personal confidentiality with HR and told them the  
4 reason I was being -- I was off that day.

5 So I emailed Ms. Trybula and I said  
6 these conversations I prefer to be private. I  
7 don't want you to discuss my medical history with  
8 anybody. This is a private thing. She -- and then  
9 I had also made a complaint -- I don't remember the  
10 exact date, but this all happened during that one  
11 week about the bonuses. Because I had been getting  
12 complaints from my employees and other employees  
13 around, and I had made a list of the bonuses that  
14 were paid out. I had noticed a pattern that the  
15 men were being paid 25 percent of their bonus  
16 amount. On average the women were paid -- mine was  
17 14 percent, others were 3 percent, others were 2  
18 percent. The girl -- the woman -- or there was  
19 women in there performing the same job as other  
20 men, and her bonus potential was half of it.

21 So we started noticing this pattern,  
22 and it was like this just proves again women are  
23 not getting paid the same. So I made this  
24 complaint, and one of my employees also made a  
25 complaint. After that I was demoted. I took a

1           mental health day, Ms. Trybula revealed my medical  
2           information to somebody who was -- I did not  
3           authorize her to.

4                       I told her I didn't appreciate that. I  
5           then got a phone call from Ms. Trybula telling  
6           me -- with Dave Conn and Shawn Kemmerer in a very  
7           belligerent manner that I should just be happy I  
8           got anything at all. It's none of my business how  
9           they figure this out and if this is how it's going  
10          to be, blah, blah, blah. She was very belligerent  
11          to the point I made a complaint to my supervisor,  
12          Shawn Kemmerer, about how belligerent she was. The  
13          following week I was terminated.

14       Q       You were informed that the finance department was  
15               going through a restructuring before you were  
16               terminated. Isn't that right?

17       A       After I made the complaint, I was demoted to a  
18               reporting role and then changed to just straight  
19               termination. After they had given me the highest  
20               bonus possible for my performance.

21       Q       Okay.

22       A       Two weeks prior.

23       Q       So did you make a complaint that you didn't receive  
24               your bonus, or did you make a complaint that women  
25               didn't receive bonuses?

1 A I made a --

2 THE WITNESS: Pardon me, Tim, you are  
3 on mute. Tim? Tim? Still on mute.

4 MR. KOLMAN: I'm sorry about that. Can  
5 you hear me? I was listening, so I just --

6 THE WITNESS: Okay. I thought you had  
7 an objection.

8 MR. KOLMAN: Objection to -- what was  
9 the question?

10 THE WITNESS: Please repeat the  
11 question.

12 BY MR. DOUGHERTY:

13 Q Did you complain that you didn't receive the bonus  
14 you expected or that women didn't?

15 MR. KOLMAN: That's an objection as to  
16 form.

17 But you can answer it.

18 THE WITNESS: Okay. I made the  
19 complaint that the bonuses paid out were not paid  
20 out at an equal percent, noting that all the men on  
21 my list where I had received the information got  
22 paid 25 percent of their bonuses, where women were  
23 paid 5 percent, 10 percent. I got 14 percent. And  
24 that was it. So it was a distinguishable pattern  
25 based on the information that I had obtained.

1 BY MR. DOUGHERTY:

2 Q The amount of bonus dollars you received was more  
3 than any of the men though, isn't that correct?

4 MR. KOLMAN: Objection as to form.

5 THE WITNESS: It's not -- the bonus  
6 structure are set based on your position. I should  
7 have had a 20 percent bonus. But you had a flat  
8 bonus. I was not complaining on this dollar  
9 amount, I was complaining about the percentage paid  
10 out as the potential bonus for everyone. Everyone  
11 had different bonus levels, so I was concerned that  
12 if the men were getting paid 25 percent of their  
13 bonus, I should also be getting paid 25 percent of  
14 the bonus. And the women beneath me should have  
15 also been paid, but we weren't, only the men were  
16 getting paid 25 percent of the bonus.

17 BY MR. DOUGHERTY:

18 Q So it was your belief that you were entitled to the  
19 20 percent bonus because it was -- you believe you  
20 should have been a director?

21 A That is the director's structure based on their  
22 bonuses. Managers get paid 10 percent, directors  
23 get 20 percent. I wasn't given a percent, they  
24 gave me a flat bonus, so I had no opportunity to  
25 get my bonus based on rate like the one I had

1 received two weeks prior.

2 Q Yeah, but that was outlined in your offer letter,  
3 correct?

4 THE WITNESS: You are on mute again,  
5 Tim.

6 MR. KOLMAN: Objection as to form,  
7 sorry.

8 THE WITNESS: No problem.  
9 Can you restate your question?

10 BY MR. DOUGHERTY:

11 Q Your bonus amount was outlined in your offer  
12 letter, correct?

13 A Correct, as was everybody's. But when the company  
14 makes a determination on what they are paying out,  
15 the percentages should be equal. The company  
16 performed this, so everybody only gets a quarter of  
17 their bonus. But we noticed that they only do that  
18 for the men, not the women.

19 Q When were you terminated?

20 A January 31, 2020.

21 Q Who performed the termination?

22 A Lauren Petzar and Shawn Kemmerer.

23 Q Was it in person?

24 A Over the phone.

25 Q And what did they tell you was the reasoning?

1 A That my position was no longer available. I  
2 believe, I don't recall, it had something to do  
3 with some -- some generic reason. But it was  
4 obvious that it was done in retaliation because I  
5 had made this complaint that -- close to them  
6 deciding to change everything and terminated after  
7 I started complaining.

8 Q Are you aware of any other people that were  
9 terminated on January 31?

10 A No, I'm not -- not that I'm aware of.

11 Q And were you informed prior to that, that QualTek  
12 was going through a company-wide restructuring at  
13 the time you were terminated?

14 A I was advised that they would be restructuring, but  
15 I was given a different position. They had told me  
16 they would put me in a reporting role because they  
17 wanted me to continue to work with the data. And  
18 then made a complaint -- or I had made the  
19 complaint, and then the retaliation happened after  
20 that. And that title that I was told about a week  
21 and a half prior was now no longer there, and I was  
22 just gone.

23 Q Have you talked to anybody about this lawsuit other  
24 than your attorney?

25 A As far as what aspects of it?

1 Q As far as anything?

2 A As far as any? Only -- people would only know what  
3 was publicly available information. And I'm  
4 talking about leaving my father and my mother and  
5 my ex that I was with for 20-plus years.

6 Q Have you talked to any potential witnesses?

7 A I had reached out to Dana Freedman to ask her if  
8 she would speak to my attorney, and she did.

9 Q Okay.

10 A I also reached out to Katrinka Tezyk and asked her  
11 to speak to my attorney. She said she was unsure  
12 if she legally could, based on the verbiage in her  
13 severance agreement, which the EEOC found to be  
14 illegal in their findings from my complaint, and  
15 that a class of people were affected by verbiage in  
16 QualTek's severance agreement, so she was scared to  
17 talk to the attorney. I also contacted Shawn  
18 Kemmerer just to see if he would connect with just  
19 a simple, "Hey, I see you out there. Would you  
20 like to connect? Give me a call here if you do."  
21 And that was it.

22 Q Well, was what through LinkedIn?

23 A Yeah, through LinkedIn. I had sent him a message.

24 Q Anyone else?

25 A I did talk to Kayla Lorenzen about speaking to my



1 attorney. She did not want to -- she was scared of  
2 retaliation because Elizabeth Downey told her after  
3 she made a complaint about the bonus that if she  
4 pushes this issue, she would be terminated. She  
5 was in the middle of a custody case and is  
6 terrified to get terminated right now because it  
7 would affect her custody case. So she was nervous  
8 because of the potential.

9 Q Who's Kayla Lorenzen?

10 A She was my former employee. She's still employed  
11 at QualTek.

12 Q Where does she work?

13 A She's in the Minnesota office, and she does finance  
14 for Velocitel.

15 MR. DOUGHERTY: Why don't we take a  
16 five-minute break. I'm going to have some  
17 documents to go over after I get them loaded up on  
18 my screen and stuff.

19 MR. KOLMAN: I'm sorry, you are going  
20 to ask about what?

21 MR. DOUGHERTY: Some documents.

22 MR. KOLMAN: So can we take ten. Is  
23 that okay?

24 MR. DOUGHERTY: Yeah, that's fine.

25 (A short recess was taken.)

1 BY MR. DOUGHERTY:

2 Q Ms. Carlson, we took another break. Coming back  
3 from the break, is there anything that you thought  
4 of from your testimony that you would like to  
5 change?

6 A No.

7 Q Okay. So I'm going to share my screen. Let me  
8 know if you can see it when it pops up?

9 A I can see it.

10 Q Okay.

11 MR. KOLMAN: I can see it.

12 BY MR. DOUGHERTY:

13 Q Great, we'll call this Carlson 1.

14 (Exhibit 1 marked.)

15 BY MR. DOUGHERTY:

16 Q And it's Carlson -- just Bates Number Carlson  
17 Discovery 000024 through 26. Do you recognize this  
18 document, ma'am?

19 A This is a job description, but this was not the job  
20 description posted at the time of my termination.  
21 I have a copy of one downloaded from that time.  
22 This was posted a month -- over a month after I was  
23 terminated. It was a different one online at that  
24 time.

25 Q Well, you were terminated in 2021?

1     A       No, I was terminated in 2020. This is -- the date  
2             posted on this document is 3-2-2020. There was a  
3             different one posted on 1-27-2020 that I have a  
4             downloaded copy of.

5     Q       Did you provide that to your counsel for  
6             production?

7                     MR. KOLMAN: I don't know whether we  
8             had it. Did you give that to me? I'm not sure I  
9             saw it.

10                    MR. DOUGHERTY: I have it.

11                    MR. KOLMAN: That's fine, Colin. One  
12             second.

13                    Lisa, did you have a copy of that one?

14                    THE WITNESS: I do. It was also  
15             provided to QualTek during the EEOC process along  
16             with a detailed description line by line of how  
17             this associated with what I was doing for my job.  
18             So it was included in EEOC.

19     BY MR. DOUGHERTY:

20     Q       You --

21     A       It was in response to QualTek on I believe 5-20 of  
22             2020 during the EEOC process that contained the  
23             documents and my responses to each one.

24     Q       Can you provide that to your counsel when we are  
25             done so he can get it to me?

1 A Yes.

2 Q Thank you.

3 MR. KOLMAN: Lisa, did you provide that  
4 to me or are you going to provide it?

5 THE WITNESS: I did provide it. There  
6 was an email I sent that had the -- I believe it  
7 was titled Carlson Rebuttal to QualTek EEOC or  
8 something like that. And it contained these  
9 things. I can resend or forward if you did not get  
10 that.

11 MR. KOLMAN: Let me kill that sound.  
12 One second.

13 Okay. Okay, that's good, we are fine.

14 BY MR. DOUGHERTY:

15 Q Ma'am, how is this one different than the one that  
16 you applied for?

17 A The one posted before I was terminated was not the  
18 one I applied for. The one I applied for was  
19 posted in November of 2019. So again, this  
20 document was created and posted after my  
21 termination and after two other director of  
22 finance, which QualTek does have. It's in the EEOC  
23 filing provided rebuttal and provided to QualTek, I  
24 believe, on 5-20-2020 as part of the EEOC process.

25 Q You said provided, but you mean you provided it to

1 the EEOC?

2 A It was a letter from my attorney in response to  
3 QualTek's EEOC response. So it was provided to  
4 both QualTek -- I believe it was provided directly  
5 to you and also to the EEOC. So it would be on  
6 5-20-2020, I believe, and it has a detailed  
7 description of every point and how that -- how I  
8 was performing that job at that time. Do you have  
9 that copy from 5-20-2020? It would have been from  
10 Aaron Sharp as an attorney.

11 Q I do not.

12 A I don't know if it was provided directly to you.

13 MR. KOLMAN: You are saying you don't  
14 have a copy. Is that correct?

15 MR. DOUGHERTY: Let's go off the record  
16 for a second.

17 (A short recess was taken.)

18 BY MR. DOUGHERTY:

19 Q So this is the job application you just sent me  
20 from January of 27, 2020. Do you recognize this  
21 document, Ms. Carlson?

22 A Yes.

23 Q And was this the application you applied for?

24 A No, I applied in November of 2019.

25 Q Is this -- how is this application different than

1 the one you applied for?

2 A I would need to see them side by side to detail  
3 that out. But this was the one that was posted at  
4 the time of my termination.

5 Q And it indicates that the position is in King of  
6 Prussia. Is that correct?

7 A Yes, that's what it says.

8 Q And it indicates education requirement of a  
9 bachelor's degree in finance, accounting or similar  
10 master's degree would be a plus. CFA or CPA  
11 credentials is a plus. Is that correct?

12 A That is what it says.

13 Q Did the position you applied to in November also  
14 have those requirements?

15 A I do not recall what the job description  
16 specifically said at that time.

17 Q Okay. So let's go to -- we'll call this Carlson 2.  
18 It is a Carlson Discovery 000044 to 000045.

19 (Exhibit 2 marked.)

20 BY MR. DOUGHERTY:

21 Q Do you recognize this document, ma'am?

22 MR. KOLMAN: Wait, does everyone else  
23 have something else on the screen? I may not have  
24 it.

25 THE WITNESS: Yeah.

1 MR. KOLMAN: Because I've got problems  
2 with my screen. This is not the first time that's  
3 happened. One second. Oh, there it is. There it  
4 is. Go ahead.

5 THE WITNESS: Yes, I do recognize this  
6 document. I only see the first page though.

7 BY MR. DOUGHERTY:

8 Q Okay.

9 A But I recognize this page.

10 Q Here's the second page.

11 A Yes, okay.

12 Q Is that your signature? Or I mean, it looks a  
13 little faded from copying, but is that your  
14 signature?

15 A Yes.

16 Q And is this your offer letter for when you  
17 transitioned over from Velocitel to QualTek?

18 A Yes.

19 Q And it indicates your salary would be \$92,300. Is  
20 that right?

21 A Yes.

22 Q Was that the same you were making at Velocitel or  
23 less?

24 A I don't recall, but I believe it was the same.

25 Q Okay. And it says here in the next paragraph you

1 will be eligible to participate annually in the  
2 management incentive compensation program, or MICP.

3 What was your understanding of the MICP?

4 A That it was the bonus program that QualTek had in  
5 place, and it had tiers for -- depending on the  
6 level of what your position is. It was based on  
7 your title.

8 Q Okay. The next sentence is "This discretionary  
9 program provides participants with an annual  
10 incentive opportunity based upon company, business  
11 group, and individual performance." Did I read  
12 that correctly?

13 A Yes.

14 Q What do you understand that sentence to mean?

15 A That depending upon the performance of the company  
16 and individual performance would determine the  
17 amount of bonuses paid out.

18 Q Do you understand that there's a possibility that  
19 no bonus could be paid out?

20 A It was a possibility, but there was a full bonus  
21 paid out off of this offer letter.

22 Q And in your first --

23 A But it would be in the correct amount, yes.

24 Q So what was paid in your first year?

25 A My first year I was paid -- let's see here. It was



1           paid out in -- at the end of 2018. December of  
2           2018 we were advised that the full bonuses would be  
3           paid out half in January and half in June. When I  
4           received my first half, I noticed that it was  
5           only -- and at this point I apologize, let me  
6           clarify one piece. This offer letter only was in  
7           place until they had adjusted my offer letter when  
8           they submitted my request to become a director  
9           to -- to HR. So the bonus that covered most of  
10          2018 was actually the \$20,000 bonus.

11                       When my amount was paid out after being  
12          advised that it was full bonuses, I got half of  
13          what HR had in their system as their bonus. They  
14          mistakenly entered my bonus of \$5,000, and I was  
15          paid \$2,500. I raised this issue to Shawn  
16          Kemmerer. He reached out to HR and was told too  
17          bad, we can't change it in the system. We'll try  
18          to fix it by the second half payment. The second  
19          half payment came out, and it was still not  
20          corrected in the system, and they told me there was  
21          really nothing I could do about it.

22       Q       So it was your understanding that was an accounting  
23               error?

24       A       It was an accounting error in HR.

25       Q       Okay.

1 A There is a system that contains the bonus amounts,  
2 and mine was incorrectly entered at \$5,000 instead  
3 of the \$20,000 that I was under at the point of  
4 this.

5 Q So under this offer letter, you never received a  
6 bonus?

7 A No, not under this offer letter because this offer  
8 letter was only in place for three months.

9 Q Okay. So is then the next offer letter -- this is  
10 a document, Carlson Discovery 00050. We'll call  
11 this Carlson 3.

12 (Exhibit 3 marked.)

13 BY MR. DOUGHERTY:

14 Q Is the next offer letter you are talking about this  
15 document?

16 A Yes, this is the one that was signed in March of  
17 2018. So it controlled the majority of the year of  
18 2018.

19 Q And that's your signature on the bottom?

20 A That is.

21 Q This looks like you got almost a \$12,000 raise. Is  
22 that right? Raise up to \$105,000 from \$93,000?

23 A Correct.

24 Q It indicates your annual bonus potential would be  
25 \$20,000. That's what you were talking about?

1 A Yes.

2 Q Okay. But you only got \$5,000?

3 A It was supposed to be the full amount, but HR had  
4 mistakenly entered \$5,000 in the system as my bonus  
5 potential. They had made a clerical error instead  
6 of the \$20,000.

7 Q Okay. So that wasn't anything -- you don't think  
8 that was discriminatory, that was just a clerical  
9 error?

10 MR. KOLMAN: Objection as to form.  
11 Calls for speculation.

12 You can answer.

13 THE WITNESS: Can you repeat the  
14 question?

15 BY MR. DOUGHERTY:

16 Q Sure. That bonus error -- we talked about a couple  
17 of bonus errors and things like that, this one from  
18 2018, so I understand it, is not a basis for  
19 discrimination complaint, is it?

20 MR. KOLMAN: Objection, calls for  
21 speculation.

22 You can answer.

23 THE WITNESS: I don't know the reason  
24 why they wouldn't correct my bonus into the system  
25 to reflect what is actually on my offer letter.

1 BY MR. DOUGHERTY:

2 Q Okay. If we go to the next document, it's  
3 Bates-stamped QualTek 00188 and it goes through  
4 QualTek 00190. We'll call this Carlson 4.

5 (Exhibit 4 marked.)

6 BY MR. DOUGHERTY:

7 Q So this is an email like when you read emails you  
8 get to read them backwards -- actually, this one is  
9 not backwards. Yeah. So here's page 2 with an  
10 email. It's -- the bottom of the first page is  
11 from Matt Webb to you on December 2, 2019. Do you  
12 recognize or remember that e-mail?

13 A I recall the conversation. I don't remember the  
14 exact verbiage in the email, but I do recall this  
15 conversation via email.

16 Q And you had a conversation or interview with Matt  
17 Webb?

18 A Yeah, I want to highlight where your mouse is right  
19 now, this is an important part of this here because  
20 if you read this piece of the email, it says, "In  
21 regards to location, they will not consider anyone  
22 outside of the QualTek office? I currently do the  
23 same thing in this position for Velocitel without  
24 issue located in Minnesota." And the company that  
25 this was managing is actually located in Minnesota

1 and have worked with them -- oh, I recall this  
2 one -- so this was talking regarding a -- let's see  
3 here, they wanted a director to manage the -- it  
4 was acquisition for a company in Minnesota. And so  
5 that's why I referenced this piece. This was  
6 managed and actually located in Minnesota, and I  
7 had worked with them for many years. "It would be  
8 a great benefit to working with them in person.  
9 Look forward to hearing back from you."

10 Q This position was actually with QualTek Shared  
11 Services, isn't that right?

12 A It was to manage a new company acquisition for a  
13 company called Vertical Limits.

14 Q Okay.

15 A Which their headquarters is in Minnesota near the  
16 Minnesota office.

17 Q Okay. But the application specifically had a King  
18 of Prussia office location. Isn't that right?

19 A I was told they would not consider anybody outside  
20 of the QualTek office, which is why I had a  
21 question mark, because I was wondering -- because I  
22 was currently performing the same position in  
23 Minnesota, and the company it was for was in  
24 Minnesota as well.

25 Q Right. But you were informed it had to be the King

1 of Prussia office. Isn't that right?

2 A For this position to manage Vertical Limit, Inc., I  
3 believe that I was told that from Lauren Petzar  
4 when I complained about the discrimination. With  
5 Lauren Petzar I was saying I was going to apply to  
6 this, and they said that might be an issue because  
7 they wanted someone in the QualTek office. So  
8 that's why I had question with Matt in this email.

9 Q So did you have this conversation with Matt Webb  
10 that was implied here?

11 A Yes, I did.

12 Q And did he inform you that it was in the King of  
13 Prussia office?

14 A He said he was going to talk to his superiors to  
15 see and understand why it needed to be in King of  
16 Prussia because of the issues I had brought up in  
17 the email.

18 Q And did he also inform you that the decision was  
19 made to keep it in King of Prussia?

20 A Yes.

21 Q And you were at the time unwilling to move to King  
22 of Prussia. Is that right? Or to Pennsylvania?

23 A Correct. Because I had just closed on the house  
24 that I referenced earlier.

25 Q It looks like there's -- this is actually I think a

1 follow-up, so it looks like on Monday, December 9  
2 he got back to you?

3 A Yes.

4 Q And sort of formally said it has to be in King of  
5 Prussia. Is that right?

6 A That's correct.

7 Q Okay. Let's go to the next email, next exhibit.  
8 It starts with QualTek 000197 and goes through  
9 QualTek 000198.

10 (Exhibit 5 marked.)

11 BY MR. DOUGHERTY:

12 Q Do you recognize this email?

13 A Yes.

14 Q And you sent it to -- who's Kristie Marzocco?

15 A She was the payroll manager at the time. So I  
16 included her, Lauren Petzar, her boss, and I cc'd  
17 my manager. And it references again how the  
18 clerical error was still not corrected apparently  
19 after the last one they changed it to \$11,000 in  
20 the system, again not \$20,000.

21 Q You copied Stephanie Trybula too?

22 A Trybula, yes.

23 Q So when you sent this, were you no longer concerned  
24 that Ms. Trybula would retaliate against you?

25 A She retaliated the next day against me. I was

1 concerned but at this point I needed to have this  
2 corrected so I wanted to raise the flag as far as I  
3 could, which is why I included Lauren's boss and my  
4 boss.

5 Q Is this email from Friday, January 24 from  
6 Ms. Trybula the retaliation you are referring to?

7 A No, I'm referring to a phone call that was  
8 received.

9 Q Okay. When did she make that phone call?

10 A She made the phone call along with David Conn and  
11 Shawn Kemmerer that same morning. She called me  
12 after these emails went.

13 Q Okay. What did she say?

14 A She said that she was -- this is where she was very  
15 belligerent and very forceful and said that it's  
16 none of my business how things are calculated. I  
17 should quote/unquote be grateful that I got  
18 anything at all, and that -- I don't recall, it was  
19 a very belligerent conversation. I don't remember  
20 the rest of the words from it. But I remember  
21 being extremely upset and telling my boss, Shawn  
22 Kemmerer, and I was extremely uncomfortable by her  
23 tone and that it was really upsetting.

24 Q And this occurred on --

25 A Which is why she --



1 Q Go ahead.

2 A This occurred on Friday, and you can see in the  
3 email above she follows up with an email saying,  
4 "Thank you for your time on Friday." Yes, and this  
5 email does not reflect the tone she had in the  
6 call.

7 Q So in your email here on the -- from 9:38 says "I'm  
8 echoing Kayla's concerns." What were Kayla's  
9 concerns?

10 A Kayla and I compiled the list of the bonuses  
11 showing that women were paid a lesser percentage of  
12 their bonus, and that also we found that minorities  
13 were paid lesser percentage of their bonuses. So I  
14 supported Kayla with this, and we emailed -- we  
15 emailed HR, and then I responded back to echo on  
16 this -- on her concerns too, to reinforce this. I  
17 was cc'd on the email that Kayla sent, and that's  
18 why I requested this information, to understand how  
19 these were calculated and determined that one  
20 person qualified for a higher percent than another.

21 And as I state right here, this is the  
22 second year I've been shorted on the correct bonus  
23 paid amount compared to what the percentages were  
24 paid and due to my system issue.

25 Q Do you have that analysis?

1 THE WITNESS: Tim, you are on mute.

2 It was also provided in the initial

3 EEOC claim.

4 BY MR. DOUGHERTY:

5 Q Okay. This will be -- what are we are up to,

6 Carlson 6?

7 (Exhibit 6 marked.)

8 BY MR. DOUGHERTY:

9 Q This starts at -- it jumps all around. You know

10 what, strike this one. This one jumps all around.

11 (Exhibit 6 taken out.)

12 MR. DOUGHERTY: Why don't we take a

13 five-minute break. I'm going to review my notes.

14 We are probably pretty close to being done.

15 (A short recess was taken.)

16 BY MR. DOUGHERTY:

17 Q I have a few more questions. Ms. Carlson, you

18 testified earlier that you were part of the people

19 putting the transition or the finances together for

20 the QualTek acquisition for Velocitel. Do I

21 remember that correctly?

22 A Yes.

23 Q Who else was on that team or in that group?

24 A I worked with Dana Freedman and we worked with

25 Shawn Kemmerer on the QualTek side.

1 Q I'm sorry, I wasn't clear. Who else from old  
2 Velocitel was on it? Just you and Dana or anyone  
3 else?

4 A I'm sure there were more people, but Dana and I  
5 assisted with the financial piece. I'm sure Joe  
6 Busky, the CFO, was involved. Yeah, that was  
7 pretty much -- and then Peter Nordby, who was our  
8 IT guy, had to be involved. But we did the  
9 financials.

10 Q Did Mr. Busky ever ask you to alter or change  
11 numbers when they were being presented to QualTek?

12 A Never.

13 Q Did you ever express concerns about him for the  
14 numbers at Velocitel to anyone at QualTek?

15 A No, I don't recall doing that at all.

16 Q Okay. Was there ever an audit or anything done of  
17 the old Velocitel numbers that proved to be  
18 incorrect or called into question the veracity of  
19 those numbers that you are aware of?

20 A Not that I'm aware of.

21 Q So you wouldn't have participated in any audit like  
22 that?

23 A No. I did participate in every audit that was  
24 held, but I provided information to the auditors  
25 and was just advised the audits were complete and

1           that I no longer needed to print that document.

2    Q       Okay.

3    A       This was an annual thing. There was annual audits  
4           at the company.

5    Q       Okay. Did you have any concerns about the numbers  
6           that were being presented from Velocitel to  
7           QualTek?

8    A       Not that I recall at all.

9    Q       I'm going to show you my screen for one more  
10          document.

11                               (Exhibit 6 marked.)

12   BY MR. DOUGHERTY:

13   Q       Do you recognize this document, ma'am?

14   A       Yes.

15   Q       Is this the chart you've been referencing about  
16          bonuses?

17   A       Yes.

18   Q       Okay. And this is the chart you and -- I'm sorry,  
19          I believe you said Ms. Lorenzen helped you with?

20   A       Yes.

21   Q       And you are talking about your 14 percent bonus.  
22          Is that right?

23   A       Yes.

24   Q       You agree with me that you received the highest  
25          bonus of anyone on this chart by more than double.

1           Isn't that right?

2       A       These were not equal parts.  These were people who  
3               were below me, so either reported to me or were  
4               formerly reporting to me.

5       Q       And you didn't answer my question.  You would agree  
6               with me that you received the highest bonus on this  
7               chart by more than double.  Correct?

8       A       I feel that question is misrepresenting the  
9               intention of this chart.  The chart was here to  
10              show what -- the information that I had, how people  
11              were paid based on percentages.

12      Q       And I'll --

13      A       And again, this is not line by line, so their bonus  
14              potential as you can see is much lower.  So the  
15              amount is actually irrelevant.

16      Q       And I'll -- again, I'll ask you the same question.

17                      MR. KOLMAN:  We'll stipulate that it  
18              says that she got the most on that chart.  It's  
19              quite clear that she did.

20      BY MR. DOUGHERTY:

21      Q       Were you aware of what Mr. Champion received?

22      A       I do not.  But the intent in there was Kayla was  
23              performing the same job, and her bonus potential  
24              was half.  And she still only got paid 9 percent of  
25              half.  I -- the colors indicate levels of

1 management on the hierarchy, that's why they are  
2 colored in different groups.

3 Q And how did you get access to bonus and pay  
4 information?

5 A I did not access that information. That is  
6 information that was verbally told to me by the  
7 employee.

8 Q So but you didn't actually see anybody's check,  
9 right?

10 A No. And I never searched to look for that  
11 information because that would have been an  
12 inappropriate use of my access that I had.

13 Q So you don't know if it's true -- the information  
14 you provided is true, you are just going with what  
15 people told you?

16 A The date that I collected that chart was the date  
17 that the bonuses were paid out. So people were  
18 looking at their paychecks and giving me those  
19 dollar amounts because of the discrepancies they  
20 saw.

21 Q Ma'am, we started over three hours ago. Looking  
22 back, is there anything you would want to change or  
23 update in your deposition?

24 A Not that I can think of right now at all.

25 MR. DOUGHERTY: Then I have no further

1           questions. Mr. Kolman may have some questions for  
2           you, I don't know.

3                       MR. KOLMAN: I don't have any  
4           questions. Thank you.

5                       She would like to read and sign.

6                       I would take a copy. If you could put  
7           it in all forms, that's ASCII, minuscrit and any  
8           others, that would be great. Not hard copy. Sent  
9           by email, and we'll print it out.

10                      MR. DOUGHERTY: I would like mini and a  
11           digital.

12                      (The deposition ended at 11:50 a.m.)

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1 STATE OF MINNESOTA)

2 ) SS.

3 COUNTY OF GOODHUE )

4

5 Be it known that I took the deposition of LISA  
6 CARLSON on the 14th day of June, 2022;

7 That I was then and there a notary public in  
8 and for the County of Goodhue, State of Minnesota, and  
9 that by virtue thereof; I was duly authorized to  
10 administer an oath;

11 That the witness before testifying was by me  
12 first duly sworn to testify to the truth and nothing but  
13 the truth relative to said cause;

14 That the testimony of said witness was recorded  
15 in computerized stenotype and thereafter transcribed by  
16 myself, and that the testimony is a true record of the  
17 testimony given by the witness to the best of my ability;

18 That I am not related to any of the parties  
19 hereto nor interested in the outcome of the matter.

20

21 WITNESSED MY HAND AND SEAL THIS 20TH DAY OF JUNE, 2022.

22

23

24

*Lisa M. Hutton*

25

Lisa M. Hutton